

**VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]**

**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 35A.5, the Department of Veterans Affairs hereby amends Chapter 13, "Vietnam Conflict Veterans Bonus," Iowa Administrative Code.

The rules in Chapter 13 are amended to expand availability of the Vietnam Conflict veterans bonus program to veterans who served at least 120 days on active duty service, and for a period of time between July 1, 1973, and May 31, 1975.

In compliance with Iowa Code section 17A.4(2), the Department finds that notice and public participation are contrary to the public interest because of the need to implement this technical change authorized in legislation that provides an added benefit to veterans who have had their bonus payments deferred since the beginning of Fiscal Year 2008.

The Department finds that these amendments confer a benefit upon certain bonus applicants by conforming the Chapter 13 rules to 2008 Iowa Acts, House File 2700, that eliminates a restrictive provision thus allowing applicants who served less than 120 days between July 1, 1973, and May 31, 1975, but who served at least 120 days on active duty at one time to receive their bonus. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of these amendments is waived.

No fiscal impact is anticipated.

These amendments are intended to implement Iowa Code Supplement section 35A.8(5) as amended by 2008 Iowa Acts, House File 2700, section 36.

These amendments became effective on June 11, 2008.

The following amendments are adopted.

ITEM 1. Amend **801—Chapter 13**, parenthetical implementation statute, as follows:  
(~~82GA,SF578~~ 35A)

ITEM 2. Amend subrule 13.1(1) as follows:

**13.1(1) Service requirement.** A person serving in the Vietnam service area is a person who served on active duty for not less than 120 days in the armed forces of the United States, and who served at any time between July 1, 1973, and May 31, 1975, both dates inclusive, and who at the time of entering into active duty service was a legal resident of the state of Iowa, and who had maintained the person's residence in this state for a period of at least six months immediately before entering into active duty service, and was honorably discharged or separated from active duty service, or is still in active service in an honorable status, or has been retired, or has been furloughed to a reserve, or has been placed on inactive status and was on active duty service in the Vietnam service area, within the dates specified in this subrule, if the veteran earned either a Vietnam service medal or an armed forces expeditionary medal Vietnam or can otherwise establish service in the Vietnam service area during that period.

ITEM 3. Amend **801—Chapter 13**, as follows:

These rules are intended to implement ~~2007 Iowa Acts, Senate File 578~~ Iowa Code Supplement section 35A.8(5) as amended by 2008 Iowa Acts, House File 2700, section 36.

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